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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/848,804

05/18/2004

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31724-1001

7337

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03/20/2008

EXAMINER

HO, ANDY

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/848,804	Applicant(s) SPICER, JEFFREY J.	
	Examiner ANDY HO	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/20/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed 5/18/2004.
2. Claims 1-29 have been examined and are pending in the application.

Claim Objections

3. There are two claim 26s. Second claim 26 has been renumbered as claim 30.
Correction is required.

4. Claim 27 is objected to as claiming the same limitations as the first claim 26.
Correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "beginning on page 15 of the specification" (line 4) is being improperly claimed as a limitation. Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7, 10 and 24-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Jennings U.S Patent No. 7,219,305.

As to claim 1, Jennings teaches (Fig. 2 and associated specification) a remote process or user driven content component creation, delivery, presentation and storage system communicating over TCP/IP, said system comprising:

a browser based client module providing a client workspace comprising of a graphical user interface supporting a plurality of moveable frames and layered desktops within a single browser window and component execution and event management services (lines 8-40 column 5, lines 3-8 column 6); and

a server based module providing dynamic form based content component creation, storage and delivery services to the client workspace (line 64 column 4 to line 7 column 5).

As to claim 2, Jennings further teaches wherein a content component creation engine delivers pre-built components and the system exposes a public application programmer's interface that allows creation of components that can be used in creating form content (lines 22-32 column 2), and wherein components written to interface specifications can be manipulated by the system and the content messages, preferably wherein a public interface allows submission of form creation specification documents,

preferably wherein the interface is a cross-platform highbred of C and C++ and Java, and optionally wherein interface support comprises all programming and scripting languages components capable of having their behavior defined by programming language code and have data access and services provided by the system (lines 41-63 column 2).

As to claim 3, Jennings further teaches said content can be specified by a XML document (lines 8-15 column 5).

As to claim 4, Jennings further teaches said delivery services between said client and said server modules is over TCP/IP and comprises directory services, synchronous messaging, data and content transfer and multiple content specific communications and asynchronous messaging (Fig. 2 and associated specification).

As to claim 5, Jennings further teaches said delivery services and said XML document can modify said system and said system components at run-time (lines 9-21 column 2).

As to claim 6, Jennings further teaches wherein said XML document can specify a multiplicity of content types, standard and custom properties, standard and custom behavior that can be specified by preferably selected from the group consisting of the list of types, properties events and behavior (line 62 column 5 to line 8 column 6).

As to claim 7, Jennings further teaches said content types can be added to via an available developer application programming interface (lines 41-52 column 5).

As to claim 10, Jennings further teaches said XML document can specify for said content, data access, and theme and data storage options (lines 8-40 column 5).

As to claim 24, Jennings further teaches said frames content may be populated asynchronously from server based content queues (lines 1-54 column 6).

As to claim 25, Jennings further teaches a set of services allowing said frames to exchange messages on the client (lines 1-54 column 6).

As to claim 26, Jennings further teaches a set of services allowing presentation properties of groups of frames to be accessed as unit (lines 1-54 column 6).

As to claim 27, Jennings further teaches a set of services allowing presentation properties of groups of frames to be accessed as unit (lines 1-54 column 6).

As to claim 28, Jennings further teaches said workspace may be saved to said storage (lines 64-67 column 2).

As to claim 29, Jennings further teaches wherein desktops and said frames and their contents may be restored from a saved record (line 64 column 2 to line 9 column 3).

As to claim 30, Jennings further teaches a set of services allowing said frames to exchange messages with other non workspace or external objects (lines 1-54 column 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8-9 and 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings in view of Duperrouzel U.S Patent No. 7,149,982.

As to claim 8, Jennings further teaches said XML document can specify for said frames a plurality of display properties (lines 1-54 column 6). However, Jennings does not explicitly teach the properties selected from the group as disclosed in claim 8.

Duperrouzel teaches a system of graphical user interface wherein display properties of frames as presented to the user include tile bar, text... (Figs. 2-10 and associated specification). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Jennings reference to include the teachings of Duperrouzel reference because by having these display properties, the system could present the information to a user and allow the user to interact with such information, as disclosed by Duperrouzel (Figs. 2-10 and associated specification).

As to claim 9, Duperrouzel further teaches behavioral properties preferably selected from the group consisting of Can Drag/Move, Can Resize, Disable Content Sizing, Bring to Top, Can Be Attached to a Form or Component, Edge Float, Minimizing, and Maximizing (lines 10-14 column 7). Note the discussion of claim 8 above for the reason of combining references.

As to claim 11, Duperrouzel further teaches plurality of display, behavioral, dynamic and content specific properties preferably including one or more of the properties selected from the group consisting of Current Visible Desktop Number,

Desktop Height, Desktop Width, Visible Desktop Area, Name, Fore Color, Border Color, Pattern, Border Effect, and Desktop Image (Figs. 2-10 and associated specification).

Note the discussion of claim 8 above for the reason of combining references.

As to claim 12, Duperrouzel further teaches said desktops visible desktop area viewable by the browser may be changed (Figs. 2-10 and associated specification).

Note the discussion of claim 8 above for the reason of combining references.

As to claim 13, Duperrouzel further teaches virtual desktops inside the browser window with a size alterable by the user (lines 10-14 column 7). Note the discussion of claim 8 above for the reason of combining references.

As to claim 14, Duperrouzel further teaches said desktops are displayed in said window according to a front and back order wherein a desktop towards the front in the order overlaps any desktops farther back in the order, and wherein said order may be altered (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 15, Duperrouzel further teaches said plurality of desktops can be assigned individual themes (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 16, Duperrouzel further teaches said frames can be dragged by the user to appear at a different location within said browser window (lines 44-52 column 6). Note the discussion of claim 8 above for the reason of combining references.

As to claim 17, Duperrouzel further teaches said frames can be resized by the user (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 18, Duperrouzel further teaches said frames can be minimized in their current location by the user (lines 10-14 column 7). Note the discussion of claim 8 above for the reason of combining references.

As to claim 19, Duperrouzel further teaches said frames can be maximized in their current location by the user (lines 10-14 column 7). Note the discussion of claim 8 above for the reason of combining references.

As to claim 20, Duperrouzel further teaches said frames can be independently closed by the user (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 21, Duperrouzel further teaches said frames being displayed in said window according to a front and back order wherein a frames towards the front in the order overlaps any frame farther back in the order which are displayed in a same area of said window, wherein said order may be altered by a user of the browser (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 22, Duperrouzel further teaches one or more frames can be fixed to a location in a visible space of said browser window during scrolling of the virtual

desktop (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

As to claim 23, Duperrouzel further teaches a plurality of layered desktops of the browser window between which the user may set the desktop layer on which the frame resides (Figs. 2-10 and associated specification). Note the discussion of claim 8 above for the reason of combining references.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

/Andy Ho/

Examiner, Art Unit 2194